

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

<hr/>	:	
ALEXANDER FABRICS, LLLP,	:	
	:	
Plaintiff,	:	
	:	
v.	:	C.A. No.
	:	
ROKA APPAREL PRODUCTS, LLC,	:	
	:	
Defendant.	:	
<hr/>		

COMPLAINT

Plaintiff, Alexander Fabrics, LLLP (“Alexander”), by way of Complaint against Defendant, RoKa Apparel Products, LLC (“RoKa” or “Defendant”), states and alleges as follows:

INTRODUCTION

1. This action arises from Defendant’s willful refusal to pay for goods sold and delivered by Alexander between February and April 2005, in violation of the terms of the parties’ agreement.

JURISDICTION AND VENUE

2. Alexander is a limited liability limited partnership formed under the laws of the State of North Carolina and having its principal place of business in the state of North Carolina.

3. RoKa is a limited liability company formed under the laws of the State of Delaware, having its principal place of business in the State of Florida.

4. The matter in controversy exceeds, exclusive of interest and costs, the sum specified by 28 U.S.C. §1332, and therefore the Court has diversity jurisdiction over this matter pursuant to 28 U.S.C. §1332.

5. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(a), (c), in that Defendant is a limited liability company formed under the laws of the State of Delaware.

THE PARTIES

6. Alexander is a North Carolina limited liability limited partnership with its principal place of business located at 1311 Industry Drive, Burlington, North Carolina. Alexander is involved in the textile industry, specializing in the sale of fabric to garment manufacturers.

7. RoKa is a Delaware limited liability company with its principal place of business at 9487 Regency Square Boulevard North, Jacksonville, Florida. RoKa is a manufacturer of various types of textile garments and undergarments.

FACTS COMMON TO ALL COUNTS

8. Pursuant to multiple purchase orders issued by RoKa, Alexander shipped various styles and colors of a customized fabric (the "Fabric") to Defendant between February and April 2005 to be used in the manufacture of their products.

9. All of the Fabric was accepted by Roka. RoKa has either sold the Fabric, or continues to retain the sole and exclusive possession of the Fabric.

10. On several occasions, RoKa acknowledged the total debt owed to Alexander for the Fabric, but stated it could not make payment due to severe financial difficulties. RoKa informed Alexander that it was involved in negotiations with other trade creditors to pay off its debts at a fraction of what was owed and had retained a New York based management firm to assist them in negotiating these trade creditor settlements.

11. Despite Alexander's demand for payment and RoKa's acknowledgment of the debt, RoKa has refused to pay for the Fabric delivered by Alexander.

COUNT ONE – BREACH OF CONTRACT

12. Alexander repeats and realleges each and every allegation contained in the prior paragraphs of its Complaint as if set forth fully herein.

13. There is a valid and enforceable agreement between the parties, to wit, Alexander would deliver specified quantities of fabric to Defendant, and Defendant would make payment for said fabric to Alexander.

14. To date, Defendant has failed and refused to pay for the Fabric delivered by Alexander, which Defendant has either sold or still holds in its possession.

15. Defendant's failure to pay for the Fabric sold and delivered constitutes a breach of the parties' agreement.

16. Currently, Defendant owes Alexander \$152,238.55 for the Fabric sold and delivered.

17. As a direct and proximate result of Defendant's breach of contract, Alexander has and will continue to suffer substantial monetary damages.

COUNT TWO – BOOK ACCOUNT

18. Alexander repeats and realleges each and every allegation contained in the prior paragraphs of its Complaint as if set forth fully herein.

19. As reflected in Alexander's books and business records, there is presently due and owing from Defendant to Alexander the sum of \$152,238.55. Invoices evidencing the shipments of Fabric to RoKa and amounts outstanding are attached hereto as Exhibit A.

20. Alexander has made numerous demands for payment of the outstanding balance and Defendant has failed and refused to make payment.

21. As a result of Defendant's failure to make payment to Alexander, Defendant owes Alexander an outstanding balance of \$152,238.55.

COUNT THREE – UNJUST ENRICHMENT

22. Alexander repeats and realleges each and every allegation contained in the prior paragraphs of its Complaint as if set forth fully herein.

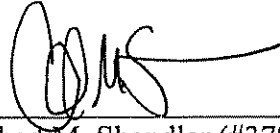
23. Alexander delivered the Fabric to Roka with the reasonable expectation that it would be timely compensated for same by Roka.

24. Roka understood that Alexander reasonably expected to be compensated for the Fabric it delivered.

25. Despite Alexander's repeated demands for payment, Defendant has failed and refused to pay for the Fabric and continues to maintain possession and control over the Fabric or the proceeds from its sale.

WHEREFORE, Plaintiff, Alexander Fabrics, LLLP, hereby requests judgment against Defendant, RoKa Apparel Products, LLC, as follows:

- A. Damages in an amount to be determined at trial;
- B. Reasonable attorneys' fees;
- C. Pre- and post-judgment interest;
- D. Costs of suit; and
- E. Such other and further relief as the Court deems just and proper under the circumstances.



Chad M. Shandler (#3796)
Steven J. Fineman (#4025)
Gregory E. Stuhlman (#4765)
Richards, Layton & Finger
One Rodney Square
P. O. Box 551
Wilmington, DE 19801
(302)651-7700

DATED: March 26, 2007

Attorneys for Plaintiff
Alexander Fabrics, LLLP

EXHIBIT A

Alexander Fabrics

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INVOICE

INVOICE NUMBER: 0022999

INVOICE DATE: 2/01/2005

PAGE: 1

SOLD TO ROKA APPAREL PRODUCTS, LLC
 9487 REGENCY SQUARE BLVD. N
 JACKSONVILLE, FL 322250000

SHIP TO ROKA APPAREL PRODUCTS
 C/O CROWLEY LOGISTICS, INC.
 4222 JAMES E. CASEY DR.

JACKSONVILLE, FL 32219

BOL 0028987
TERMS NET 60
SHIP VIA WATKINS TRUCK
SHIP DATE 2/01/2005

PO NUMBER R357928
PO DATE 12/22/2004
CONTRACT # 0008564-000
SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3126 0 1209 01302 GPB PALE BLUSH GPB GPB PALE BLUSH SHADE: 10	0020449000000	25	YD SY LB	2462.0 6291.8 829.2	3.000	7386.00
	SUBTOTAL			2462.0		7386.00
	TOTAL			2462.0		7386.00
<u>Send Remittance To:</u> ALEXANDER FABRICS P O BOX 751597 CHARLOTTE, NC 28275 CAN						

Alexander Fabrics

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BOL

0028988

TERMS

NET 60

SHIP VIA

WATKINS TRUCK

SHIP DATE

2/01/2005

PO NUMBER R357926

PO DATE 12/22/2004

CONTRACT # 0008562-000

SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3126 0 5445 01302 AIV ANTIQUE IVORY AIV AIV ANTIQUE IVORY SHADE: 10	0020579000000	2	YD SY LB	124.0 316.9 37.4	3.000	372.00
	SUBTOTAL			124.0		372.00
	TOTAL			124.0		372.00
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 4222 JAMES E. CASEY DR.

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BOL 0029282
TERMS NET 90
SHIP VIA WATKINS TRUCK
SHIP DATE 2/11/2005

PO NUMBER R358473
PO DATE 1/24/2005
CONTRACT # 0008813-000
SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3126 0 8062 01302 ATW TRUE WHITE ATW ATW TRUE WHITE SHADE: 10	0020818000000	14	YD SY LB	1344.0 3434.7 426.0	3.000	4032.00
	SUBTOTAL			1344.0		4032.00
	TOTAL			1344.0		4032.00
<u>Send Remittance To:</u> ALEXANDER FABRICS P O BOX 751597 CHARLOTTE, NC 28275						

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0029283

TERMS

NET 60

SHIP VIA

WATKINS TRUCK

SHIP DATE

2/11/2005

PO NUMBER R357928**PO DATE** 12/22/2004**CONTRACT #** 0008564-000**SALESMAN** DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3126 0 1209 01102 GPB PALE BLUSH GPB GPB PALE BLUSH SHADE: 10	0020687000000	3	YD SY LB	213.0 544.3 78.2	3.000	639.00
	SUBTOTAL			213.0		639.00
	TOTAL			213.0		639.00
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BOL 0029284
TERMS NET 60
SHIP VIA WATKINS TRUCK
SHIP DATE 2/11/2005

PO NUMBER R357927
PO DATE 12/22/2004
CONTRACT # 0008563-000
SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3126 0 8062 01302 ATW TRUE WHITE ATW ATW TRUE WHITE SHADE: 10	0020934000000	17	YD SY LB	1585 0 4050 6 569 8	3 000	4755 00
	SUBTOTAL			1585 0		4755 00
	TOTAL			1585 0		4755 00
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BOL 0029461
TERMS NET 60
SHIP VIA WATKINS TRUCK
SHIP DATE 2/17/2005

PO NUMBER R358647
PO DATE 1/31/2005
CONTRACT # 0008910-000
SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3126 0 5816 01302 AUB RICH BLACK AUB AUB RICH BLACK SHADE: 30	0020943000001	5	YD SY LB	458 0 1170 4 154 1	3 280	1502 24
	SUBTOTAL			458 0		1502 24
	TOTAL			458 0		1502 24
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BOL 0029463
TERMS NET 60
SHIP VIA WATKINS TRUCK
SHIP DATE 2/17/2005

PO NUMBER R356665
PO DATE 2/17/2005
CONTRACT # 0009123-000
SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3126 0 8062 01302 ATW TRUE WHITE ATW ATW TRUE WHITE SHADE: 10	0020977000000	13	YD SY LB	1268.0 3240.5 456.5	3.000	3804.00
	SUBTOTAL			1268.0		3804.00
	TOTAL			1268.0		3804.00
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BOL 0029640
TERMS NET 60
SHIP VIA WATKINS TRUCK
SHIP DATE 2/25/2005

PO NUMBER R357928
PO DATE 12/22/2004
CONTRACT # 0008564-000
SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3126 0 1209 01302 GPB PALE BLUSH GPB GPB PALE BLUSH SHADE: 10	0020760000000	3	YD SY LB	176 0 449 8 66 2	3 000	528.00
	SUBTOTAL			176 0		528.00
	TOTAL			176 0		528.00
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BOL 0029641
TERMS NET 60
SHIP VIA WATKINS TRUCK
SHIP DATE 2/25/2005

PO NUMBER R358616
PO DATE 1/31/2005
CONTRACT # 0008909-000
SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3126 0 5445 01302 AIV ANTIQUE IVORY AIV AIV ANTIQUE IVORY SHADE: 10	0020944000000	17	YD SY LB	1551.0 3963.7 485.0	3.000	4653.00
	SUBTOTAL			1551.0		4653.00
	TOTAL			1551.0		4653.00
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BOL 0030158
TERMS NET 60
SHIP VIA WATKINS TRUCK
SHIP DATE 3/11/2005

PO NUMBER R359162
PO DATE 2/14/2005
CONTRACT # 0009081-000
SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
4637 0 5816 43520 AUB RICH BLACK AUB AUB RICH BLACK SHADE: 30	0021180000000	2	YD SY LB	2225.0 3955.6 558.2	3.700	8232.50
	SUBTOTAL			2225.0		8232.50
	TOTAL			2225.0		8232.50
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BOL 0030159
TERMS NET 60
SHIP VIA WATKINS TRUCK
SHIP DATE 3/11/2005

PO NUMBER R359160
PO DATE 2/14/2005
CONTRACT # 0009080-000
SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
4637 0 7960 43520 AH7 EGGSHELL AH7 AH7 EGGSHELL SHADE: 10	0021181000000	1	YD SY LB	1006.0 1788.4 291.0	3.910	3933.46
	SUBTOTAL			1006.0		3933.46
	TOTAL			1006.0		3933.46
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 4222 JAMES E. CASEY DR.

JACKSONVILLE, FL 32219

BOL 0030327
TERMS NET 60
SHIP VIA WATKINS TRUCK
SHIP DATE 3/18/2005

PO NUMBER R359145
PO DATE 2/14/2005
CONTRACT # 0009079-000
SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3232/115 0 1209 01301 GPB PALE BLUSH GPB GPB PALE BLUSH SHADE: 10	0021410000000	24	YD SY LB	2359.0 7535.7 1005.6	3 170	7478.03
	SUBTOTAL			2359.0		7478.03
	TOTAL			2359.0		7478.03
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PAGE: 1

PO NUMBER	R358647
PO DATE	1/31/2005
CONTRACT #	0008910-000
SALESMAN	DB

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3126 0 5816	0021507000000	6	YD	490 0	3.210	1572.90
01302 AUB RICH BLACK AUB			SY	1252 2		
AUB RICH BLACK			LB	157 5		
SHADE: MEDIUM						
	SUBTOTAL			490 0		1572.90
	TOTAL			490 0		1572.90
<p><u>Send Remittance To:</u> This account has been assigned to, is owned by and is payable in par funds only to:</p>						
<p>To whom notice must be given of any merchandise return or claims for shortage, non-delivery or for other grounds</p>						

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INVOICE NUMBER: 0024547

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4222 JAMES E CASEY DR..
JACKSONVILLE, FL 32219

BOL	003042B
TERMS	NET 60
SHIP VIA	WATKINS TRUCK
SHIP DATE	3/22/2005

PO NUMBER	R359144
PO DATE	2/14/2005
CONTRACT #	0009078-000
SALESMAN	DB

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3232/115 0 5816 01301 AUB AUB AUB RICH BLACK SHADE: 30	0021413000000	39	YD SY LB	3899 0 12455 1 1686 7	3 540	13802 46
	SUBTOTAL			3899 0		13802 46
	TOTAL			3899 0		13802 46
<p><u>Send Remittance To:</u> This account has been assigned to, is owned by and is payable in par funds only to:</p> <p>To whom notice must be given of any merchandise return or claims for shortage, non-delivery or for other grounds.</p>						

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 4222 JAMES E. CASEY DR.

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BOL 0030474
TERMS NET 60
SHIP VIA WATKINS TRUCK
SHIP DATE 3/23/2005

PO NUMBER R359145
PO DATE 2/14/2005
CONTRACT # 0009079-000
SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3232/115 0 1209 01301 GPB PALE BLUSH GPB GPB PALE BLUSH SHADE: 10	0021671000000	4	YD SY LB	412 0 1316 1 187 0	3 170	1306 04
	SUBTOTAL			412 0		1306 04
	TOTAL			412 0		1306 04
<u>Send Remittance To:</u> ALEXANDER FABRICS P.O. BOX 751597 CHARLOTTE, NC 28275						

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 4222 JAMES E. CASEY DR.

JACKSONVILLE, FL 32219

BOL 0030475
 TERMS NET 60
 SHIP VIA WATKINS TRUCK
 SHIP DATE 3/23/2005

PO NUMBER R359432
 PO DATE 3/08/2005
 CONTRACT # 0009361-000
 SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3232/115 0 5910 AIA PINK TUNE 01301 AIA PINK TUNE SHADE: 10	0021688000000	11	YD SY LB	1036 0 3309 4 436 6	3 170	3284 12
	SUBTOTAL			1036 0		3284 12
	TOTAL			1036 0		3284 12
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JACKSONVILLE, FL 32219

**BOL
TERMS
SHIP VIA
SHIP DATE**

0030696
 NET 60
 WATKINS TRUCK
 4/01/2005

PO NUMBER R359145
PO DATE 2/14/2005
CONTRACT # 0009079-000
SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3232/115 0 1209 01301 GPB PALE BLUSH GPB GPB PALE BLUSH SHADE: 10	0021410000001	21	YD SY LB	2055.6 6566.5 900.8	3 170	6516.25
	SUBTOTAL			2055.6		6516.25
	TOTAL			2055.6		6516.25
<u>Send Remittance To:</u> ALEXANDER FABRICS P O BOX 751597 CHARLOTTE, NC 28275						

Alexander Fabrics

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SHIP TO ROKA APPAREL PRODUCTS
 C/O CROWLEY LOGISTICS, INC.
 4222 JAMES E. CASEY DR.
 JACKSONVILLE, FL 32219

BOL 0030697
TERMS NET 60
SHIP VIA WATKINS TRUCK
SHIP DATE 4/01/2005

PO NUMBER R359144
PO DATE 2/14/2005
CONTRACT # 0009078-000
SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3232/115 0 5816 01301 AUB AUB AUB RICH BLACK SHADE: 30	0021413000001	14	YD SY LB	1192.0 3807.8 536.8	3.540	4219.68
	SUBTOTAL			1192.0		4219.68
	TOTAL			1192.0		4219.68
Send Remittance To: ALEXANDER FABRICS P.O. BOX 751597 CHARLOTTE, NC 28275						

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 4222 JAMES E. CASEY DR.

JACKSONVILLE, FL 32219

BOL 0030698
TERMS NET 60
SHIP VIA WATKINS TRUCK
SHIP DATE 4/01/2005

PO NUMBER R359143
PO DATE 2/14/2005
CONTRACT # 0009077-000
SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3232/115 0 8062 01301 ATW TRUE WHITE ATW ATW TRUE WHITE SHADE: 10	0021415000001	21	YD SY LB	2002.4 6396.6 847.6	3 170	6347.61
	SUBTOTAL			2002.4		6347.61
	TOTAL			2002.4		6347.61
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 4222 JAMES E. CASEY DR.

JACKSONVILLE, FL 32219

BOL 0030885
TERMS NET 60
SHIP VIA WATKINS TRUCK
SHIP DATE 4/08/2005

PO NUMBER R358647
PO DATE 1/31/2005
CONTRACT # 0008910-000
SALESMAN DAVID BLOOM

Product Information	Dys Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3126 0 5816 01302 AUB RICH BLACK AUB AUB RICH BLACK SHADE: 30	0021921000000	5	YD SY LB	466.0 1190.9 166.8	3.280	1528.48
	SUBTOTAL			466.0		1528.48
	TOTAL			466.0		1528.48
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 4222 JAMES E. CASEY DR.

JACKSONVILLE, FL 32219

BOL 0030887
TERMS NET 60
SHIP VIA WATKINS TRUCK
SHIP DATE 4/08/2005

PO NUMBER R359432
PO DATE 3/08/2005
CONTRACT # 0009361-000
SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3232/115 0 5910 AIA PINK TUNE 01301 AIA PINK TUNE SHADE: 10	0021922000000	3	YD SY LB	323.0 1031.8 158.4	3.170	1023.91
	SUBTOTAL			323.0		1023.91
	TOTAL			323.0		1023.91
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BOL 0030893
TERMS NET 60
SHIP VIA WATKINS TRUCK
SHIP DATE 4/08/2005

PO NUMBER R359144
PO DATE 2/14/2005
CONTRACT # 0009078-000
SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3232/115 0 5816 01301 AUB AUB AUB RICH BLACK SHADE: 30	0021414000000	13	YD SY LB	1253.0 4002.6 487.8	3.540	4435.62
	SUBTOTAL			1253.0		4435.62
	TOTAL			1253.0		4435.62
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 4222 JAMES E. CASEY DR.

JACKSONVILLE, FL 32219

BOL 0030895
TERMS NET 60
SHIP VIA WATKINS TRUCK
SHIP DATE 4/08/2005

PO NUMBER R359144
PO DATE 2/14/2005
CONTRACT # 0009078-000
SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3232/115 0 5816 01301 AUB AUB AUB RICH BLACK SHADE: 30	0021414000001	3	YD SY LB	245.0 782.6 94.4	3.540	867.30
	SUBTOTAL			245.0		867.30
	TOTAL			245.0		867.30
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 4222 JAMES E. CASEY DR.

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BOL 0031532
TERMS NET 60
SHIP VIA WATKINS TRUCK
SHIP DATE 4/29/2005

PO NUMBER R358647
PO DATE 1/31/2005
CONTRACT # 0008910-000
SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3126 0 5816 01302 AUB RICH BLACK AUB AUB RICH BLACK SHADE: 30	0022157000000	4	YD SY LB	348.0 889.3 118.0	3.280	1141.44
	SUBTOTAL			348.0		1141.44
	TOTAL			348.0		1141.44
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 4222 JAMES E. CASEY DR.

JACKSONVILLE, FL 32219

BOL 0031533
TERMS NET 60
SHIP VIA WATKINS TRUCK
SHIP DATE 4/29/2005

PO NUMBER R359142
PO DATE 2/14/2005
CONTRACT # 0009075-000
SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3232/115 0 5445 01301AIV AIV AIV ANTIQUE IVORY SHADE: 10	0021418000000	50	YD SY LB	4882.9 15598.2 1913.2	3.170	15478.79
	SUBTOTAL			4882.9		15478.79
	TOTAL			4882.9		15478.79
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 4222 JAMES E. CASEY DR.

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BOL 0031534
 TERMS NET 60
 SHIP VIA WATKINS TRUCK
 SHIP DATE 4/29/2005

PO NUMBER R359143
 PO DATE 2/14/2005
 CONTRACT # 0009077-000
 SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3232/115 0 8062 01301 ATW TRUE WHITE ATW ATW TRUE WHITE SHADE: 10	0021416000000	33	YD SY LB	3203 0 10231.8 1350 4	3 170	10153.51
	SUBTOTAL			3203.0		10153.51
	TOTAL			3203.0		10153.51
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4222 JAMES E. CASEY DR.

JACKSONVILLE, FL 32219

BOL 0031535
TERMS NET 60
SHIP VIA WATKINS TRUCK
SHIP DATE 4/29/2005

PO NUMBER R359143
PO DATE 2/14/2005
CONTRACT # 0009077-000
SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3232/115 0 8062 01301 ATW TRUE WHITE ATW ATW TRUE WHITE SHADE: 10	0021415000000	32	YD SY LB	3089.0 9867.6 1326.2	3.170	9792.13
	SUBTOTAL			3089.0		9792.13
	TOTAL			3089.0		9792.13
<u>Send Remittance To:</u> ALEXANDER FABRICS P.O. BOX 751597 CHARLOTTE, NC 28275						

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JACKSONVILLE, FL 32219

BOL

0031537

TERMS

NET 60

SHIP VIA

WATKINS TRUCK

SHIP DATE

4/29/2005

PO NUMBER R359144

PO DATE 2/14/2005

CONTRACT # 0009078-000

SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3232/115 0 5816	0022101000000	6	YD	619.0	3.540	2191.26
01301 AUB AUB			SY	1977.4		
AUB RICH BLACK			LB	274.8		
SHADE: 30						
	SUBTOTAL			619.0		2191.26
	TOTAL			619.0		2191.26
<u>Send Remittance To:</u> ALEXANDER FABRICS P O. BOX 751597 CHARLOTTE, NC 28275						

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INVOICE DATE: 4/29/2005

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 4222 JAMES E. CASEY DR.

JACKSONVILLE, FL 32219

BOL 0031538
TERMS NET 60
SHIP VIA WATKINS TRUCK
SHIP DATE 4/29/2005

PO NUMBER R359145
PO DATE 2/14/2005
CONTRACT # 0009079-000
SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3232/115 0 1209 01301 GPB PALE BLUSH GPB GPB PALE BLUSH SHADE: 10	0021411000001	22	YD SY LB	2161.9 6906.1 854.6	3.170	6853.22
	SUBTOTAL			2161.9		6853.22
	TOTAL			2161.9		6853.22
Send Remittance To: ALEXANDER FABRICS P.O. BOX 751597 CHARLOTTE, NC 28275						

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 4222 JAMES E. CASEY DR.

JACKSONVILLE, FL 32219

BOL 0031539
 TERMS NET 60
 SHIP VIA WATKINS TRUCK
 SHIP DATE 4/29/2005

PO NUMBER R359145
 PO DATE 2/14/2005
 CONTRACT # 0009079-000
 SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3232/115 0 1209 01301 GPB PALE BLUSH GPB GPB PALE BLUSH SHADE: 10	0021411000000	30	YD SY LB	2980.3 9520.4 1167.0	3.170	9447.55
	SUBTOTAL			2980.3		9447.55
	TOTAL			2980.3		9447.55
<u>Send Remittance To:</u> ALEXANDER FABRICS P.O. BOX 751597 CHARLOTTE, NC 28275						

JS 44

(Rev. 12/96)

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM)

CIVIL COVER SHEET

I.(a) PLAINTIFF

Alexander Fabrics, LLLP

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF _____
(EXCEPT IN U S PLAINTIFF CASES)

DEFENDANT

Roka Apparel Products, LLC

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT _____
(IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Chad M. Shandler
Steven J. Fineman
Gregory E. Stuhlman
Richards, Layton & Finger
One Rodney Square - P O Box 551
Wilmington, DE 19899
(302) 651-7700

ATTORNEYS (IF KNOWN)**II. BASIS OF JURISDICTION** (PLACE AN X IN ONE BOX ONLY)

- ☐ 1 U S Government Plaintiff 3 Federal Question (U S Government Not a Party)
☐ 2 U S Government Defendant ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN "X" IN ONE BOX (For Diversity Cases Only) FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- | | | | | | |
|---|----------------------------|----------------------------|---|---------------------------------------|---------------------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input checked="" type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input checked="" type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

VI. ORIGIN (PLACE AN X IN ONE BOX ONLY)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 50 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

V. NATURE OF SUIT (PLACE AN X IN ONE BOX ONLY)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (excl Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholder's Suits <input checked="" type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 362 Personal Injury - Med Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth In Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 Habeas Corpus: General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl Rel Inc Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 881 HIA (1395i) <input type="checkbox"/> 882 Black Lung (923) <input type="checkbox"/> 883 DIWC/DIMW (405(g)) <input type="checkbox"/> 884 SSID Title XVI <input type="checkbox"/> 885 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609

VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIV
Diversity action for breach of contract - goods delivered but not paid for.

VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION ☐ Under F.R.C.P. 23 DEMAND \$ _____ CHECK YES only if demanded in complaint: JURY DEMAND: YES X NO

VIII. RELATED CASE(S) (See instructions):
IF ANY

DATE March 26, 2007

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG JUDGE _____

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS-44

Authority For Civil Cover Sheet

The JS-44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

I. (a) Plaintiffs - Defendants. Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.

(b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)

(c) Attorneys. Enter firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

II. Jurisdiction. The basis of jurisdiction is set forth under Rule 8 (a), F.R.C.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

United States plaintiff (1) Jurisdiction is based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.

United States defendant (2) When the plaintiff is suing the United States, its officers or agencies, place an X in this box.

Federal question (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.

Diversity of citizenship (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; federal question actions take precedence over diversity cases.)

III. Residence (citizenship) of Principal Parties. This section of the JS-44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

IV. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause.

V. Nature of Suit. Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section IV above, is sufficient to enable the deputy clerk or the statistical clerks in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.

VI. Origin. Place an "X" in one of the seven boxes.

Original Proceedings (1) Cases which originate in the United States district courts.

Removed from State Court (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C. Section 1441. When the petition for removal is granted, check this box.

Remanded from Appellate Court (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.

Reinstated or Reopened (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.

Transferred from Another District (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

Appeal to District Judge from Magistrate Judgment (7) Check this box for an appeal from a magistrate's decision.

VII. Requested in Complaint. Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.C.P.

Demand. In this space enter the dollar amount (in thousands of dollars) being demanded or indicate other demand such as a preliminary injunction.

Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

VIII. Related Cases. This section of the JS-44 is used to reference relating pending cases if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet (rev. 07/89).

AO FORM 85 RECEIPT (REV. 9/04)

United States District Court for the District of Delaware

- 0 7 - 1 7 4 -

Civil Action No. _____

ACKNOWLEDGMENT
OF RECEIPT FOR AO FORM 85

NOTICE OF AVAILABILITY OF A
UNITED STATES MAGISTRATE JUDGE
TO EXERCISE JURISDICTION

I HEREBY ACKNOWLEDGE RECEIPT OF 3 COPIES OF AO FORM 85.

3/26/07
(Date forms issued)

X Matthew Caporielo
(Signature of Party or their Representative)

X Matthew Caporielo
(Printed name of Party or their Representative)

Note: Completed receipt will be filed in the Civil Action